



# Journal of the Senate

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Friday, March 2, 2012

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## CALL TO ORDER

The Senate was called to order by President Haridopolos at 10:00 a.m.  
A quorum present—39:

Mr. President	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Rich
Bennett	Gardiner	Richter
Bogdanoff	Gibson	Ring
Braynon	Hays	Sachs
Bullard	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Excused: Senator Alexander periodically for the purpose of working on the Budget Conference

## PRAYER

The following prayer was offered by Wallace Brown, Senate Sergeant at Arms Office:

Loving Heavenly Father, we come to you this hour asking for your blessing and help as we are gathered together. We pray for guidance in the matters at hand and ask that you would clearly show us how to conduct our work with a spirit of joy and enthusiasm. Give us the desire to find ways to excel in our work. Help us to work together and encourage each other to excellence.

We ask that we would challenge each other to reach higher and farther to be the best we can be. May the matters discussed serve as a catalyst to move us forward and cause us to advance and see growth in all areas of our lives. May we leave here recognizing you are the God of all wisdom and you are willing to lead us forward. This we pray in your name, Amen.

## PLEDGE

Senate Pages, Jeremy Jones of Tallahassee; Anthony Barroso of Miami; Nathan Snipes of Inverness; and Ashley Cohrs of Gainesville, led the Senate in the pledge of allegiance to the flag of the United States of America.

## MOTION

On motion by Senator Thrasher, by two-thirds vote all bills passed this day were ordered immediately certified to the House.

## ANNOUNCEMENTS RELATING TO COMMITTEE MEETINGS

Pursuant to Rule 2.6(2), Senator Thrasher announced that the Committee on Budget will meet this day from 2:30 p.m. until 4:30 p.m.

## SPECIAL GUESTS

Senator Braynon introduced his wife, Melissa, his two sons, Oscar III and Brandon, and his mother-in-law, Mrs. Fung.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Diaz de la Portilla, by two-thirds vote **SB 1454** was withdrawn from the committees of reference and further consideration.

## BILLS ON THIRD READING

Consideration of **CS for SB 752** was deferred.

**CS for HB 377**—An act relating to the Miami-Dade County Lake Belt Mitigation Plan; amending s. 373.41492, F.S.; deleting references to a report by the Miami-Dade County Lake Belt Plan Implementation Committee; deleting obsolete provisions; providing for the redirection of funds for seepage mitigation projects; requiring the proceeds of the water treatment plant upgrade fee to be transferred by the Department of Revenue to the South Florida Water Management District and to be deposited into the Lake Belt Mitigation Trust Fund; providing criterion when the transfer is not required; providing for the proceeds of the mitigation fee to be used to conduct mitigation activities that are approved by the Miami-Dade County Lake Belt Mitigation Committee; clarifying the authorized uses for the proceeds from the water treatment plant upgrade fee; providing an effective date.

—was read the third time by title.

On motions by Senator Garcia, **CS for HB 377** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Braynon	Diaz de la Portilla
Altman	Bullard	Dockery
Bennett	Dean	Evers
Bogdanoff	Detert	Fasano

Flores	Lynn	Simmons
Gaetz	Margolis	Siplin
Garcia	Montford	Smith
Gardiner	Negron	Sobel
Gibson	Norman	Storms
Hays	Oelrich	Thrasher
Jones	Rich	Wise
Joyner	Richter	
Latvala	Sachs	

Nays—None

## SPECIAL RECOGNITION OF SENATOR BENNETT

A video tribute was played honoring Senator Bennett. Senator Bennett introduced his wife, Dee, who was present in the chamber. Senator Bennett was recognized for farewell remarks. Several Senators were also recognized for farewell comments.

## SENATOR JONES PRESIDING

## THE PRESIDENT PRESIDING

### BILLS ON THIRD READING

**CS for HB 1227**—A bill to be entitled An act relating to certification of 911 public safety telecommunications; amending s. 401.465, F.S.; revising requirements for certification of 911 public safety telecommunications; providing conditions under which the requirement for certification as a 911 public safety telecommunicator may be waived for certain law enforcement officers; providing for exemption from the examination fee; providing an effective date.

—was read the third time by title.

On motions by Senator Dean, **CS for HB 1227** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

**CS for SB 198**—A bill to be entitled An act relating to the State University System optional retirement program; amending s. 121.35, F.S.; increasing to no more than six the number of companies from which contracts may be purchased under the program; providing a procurement process for additional provider companies; providing an effective date.

—as amended March 1 was read the third time by title.

On motions by Senator Thrasher, **CS for SB 198** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

Vote after roll call:

Yea to Nay—Garcia

**SB 266**—A bill to be entitled An act relating to state symbols; creating s. 15.0527, F.S.; designating the sport of automobile racing as the official state sport; providing an effective date.

—was read the third time by title.

On motions by Senator Lynn, **SB 266** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Norman
Alexander	Flores	Rich
Altman	Gaetz	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise

Nays—3

Fasano	Garcia	Latvala
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Vote after roll call:

Yea to Nay—Gardiner

**CS for CS for SB 332**—A bill to be entitled An act relating to infant death; providing a short title; amending s. 383.3362, F.S.; revising legislative findings and intent with respect to the sudden unexpected death of an infant under a specified age; defining the term “Sudden Unexpected Infant Death”; revising provisions relating to training requirements for first responders; revising requirements relating to autopsies performed by medical examiners; requiring the Medical Examiners Commission to provide for the development and implementation of a protocol for the medical and legal investigation of sudden unexpected infant deaths; deleting references to the SIDS hotline and local SIDS alliances; providing an effective date.

—was read the third time by title.

On motions by Senator Bullard, **CS for CS for SB 332** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

**SPECIAL GUESTS**

Senator Bullard introduced her husband, former Representative Edward Bullard, who was present in the chamber.

**HB 231**—A bill to be entitled An act relating to intergovernmental cooperation; amending s. 163.01, F.S.; authorizing certain parties to an interlocal agreement to conduct public meetings and workshops by means of communications media technology; providing notice requirements; providing a definition; providing an effective date.

—as amended March 1 was read the third time by title.

On motions by Senator Oelrich, **HB 231** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Gardiner	Richter
Benacquisto	Gibson	Ring
Bennett	Hays	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Bullard	Latvala	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—1

Garcia

Vote after roll call:

Yea—Dockery

**CS for CS for HB 449**—A bill to be entitled An act relating to public fairs and expositions; amending s. 616.001, F.S.; redefining existing terms and defining the terms “annual public fair” and “concession”; amending s. 616.01, F.S., relating to requirements for the proposed charter of an annual public fair; revising provisions to conform to changes made by the act; amending s. 616.02, F.S.; providing that the primary objective of a fair association is the holding, conducting, and promoting of public fairs or expositions; amending s. 616.03, F.S.; providing that a fair association may file its duly approved charter with the Department of State in addition to the Department of Agriculture and Consumer Services for notice purposes; amending s. 616.05, F.S.; providing the process by which a fair association may amend its charter;

requiring a fair association that files its charter with the Department of State to file a copy of amendments to its charter with that department; amending s. 616.051, F.S.; revising provisions regarding the process by which a fair association may dissolve its charter; amending s. 616.07, F.S.; revising provisions regarding the distribution of public funds and property when a fair association is dissolved; clarifying that certain authorized projects, activities, events, programs, and uses serve an essential governmental purpose and, therefore, are exempt from taxation; providing for applicability of such exemptions; amending s. 616.08, F.S.; requiring each fair association to hold an annual public fair; authorizing the fair association to license certain property and to grant, lease, rent, or license space for exhibits and concessions; requiring the fair association to stimulate public interest in the benefit and development of certain resources of the state, any county, or a municipality, including facilities for specified uses; providing that certain fair associations are noncommercial activity providers; amending s. 616.101, F.S.; revising provisions related to the review of association accounts and records; amending s. 616.11, F.S.; clarifying the rights of the association to use certain property for public purposes; adding the Department of Transportation to the list of governmental entities that may make contributions to a fair association to assist it in carrying out its purpose; authorizing state, county, and municipal governments to fund certain projects at or connected with public fairs and expositions; amending s. 616.12, F.S.; revising provisions relating to the exemption from certain local business taxes for annual public fairs held by a fair association; amending s. 616.121, F.S., relating to a penalty imposed for making false application for a permit; replacing the term “exhibitions” with the term “annual public fair” to conform to changes made by the act; amending s. 616.14, F.S.; prohibiting a fair association from conducting more than one annual public fair each calendar year; amending ss. 616.15 and 616.17, F.S., relating to procedures for obtaining a permit from the Department of Agriculture and Consumer Services to conduct a public fair; revising provisions to conform to changes made by the act; revising requirements for obtaining a departmental waiver from minimum exhibit requirements; amending s. 616.185, F.S.; revising provisions prohibiting the offense of trespass upon the grounds or facilities of a public fair; amending s. 616.19, F.S.; revising provisions relating to the designation of fairs; amending s. 616.21, F.S.; revising provisions related to the expenditure of appropriated funds; amending s. 616.23, F.S.; removing certain limitations on the use of buildings by counties, municipalities, or fair associations; amending s. 616.24, F.S.; revising provisions related to enforcement; amending s. 288.1175, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motions by Senator Hays, **CS for CS for HB 449** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Bogdanoff	Hays	Sachs
Braynon	Jones	Simmons
Bullard	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

Vote after roll call:

Yea—Dockery

**SB 538**—A bill to be entitled An act relating to preference to Florida businesses in procurement of personal property and services; providing a short title; amending s. 283.35, F.S.; requiring an agency, university,

college, school district, or other political subdivision of the state to grant a specified preference to a vendor located within the state when awarding a contract for printing; specifying the percentage of preference to be granted; amending s. 287.057, F.S.; providing an exception to the requirement for competitive solicitation of contractual services and commodities for public service announcement programs provided by certain nonprofit corporations; amending s. 287.084, F.S.; requiring, rather than authorizing, an agency, university, college, school district, or other political subdivision of the state in making purchases of personal property through competitive solicitation to award a preference to the lowest responsible and responsive vendor having a principal place of business within this state under specified circumstances; specifying the percentage of preference to be granted; providing nonapplicability; prohibiting the preclusion of a vendor whose principal place of business is in this state from being an authorized reseller of information technology commodities of state contractors, under certain circumstances; providing an effective date.

—as amended March 1 was read the third time by title.

On motions by Senator Bogdanoff, **SB 538** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

**CS for CS for HB 233**—A bill to be entitled An act relating to substance abuse education and intervention programs; amending s. 948.15, F.S.; providing that probation supervision services for defendants found guilty of certain misdemeanor controlled substance offenses may be provided by licensed substance abuse education and intervention programs; authorizing certain entities providing probation services to provide licensed substance abuse education and intervention programs; requiring private entities providing such programs to contract with the county and comply with other applicable provisions; providing an effective date.

—was read the third time by title.

On motions by Senator Lynn, **CS for CS for HB 233** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Evers	Margolis
Alexander	Fasano	Montford
Altman	Flores	Negron
Benacquisto	Gaetz	Norman
Bennett	Garcia	Oelrich
Bogdanoff	Gardiner	Rich
Braynon	Gibson	Richter
Bullard	Hays	Ring
Dean	Jones	Sachs
Detert	Joyner	Simmons
Diaz de la Portilla	Latvala	Siplin
Dockery	Lynn	Smith

Sobel  
Storms  
Thrasher  
Wise

Nays—None

**HB 393**—A bill to be entitled An act relating to recreational vehicle dealers; amending s. 320.771, F.S.; authorizing such dealers to obtain certificates of title for recreational vehicles; providing limitations and requirements; providing an effective date.

—was read the third time by title.

On motions by Senator Latvala, **HB 393** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

**CS for CS for SB 582**—A bill to be entitled An act relating to neighborhood improvement districts; amending ss. 163.2511, 163.2517, 163.3182, 163.3246, and 163.387, F.S.; conforming provisions to changes made by the act; amending s. 163.501, F.S.; renaming the “Safe Neighborhoods Act” as the “Neighborhoods Improvement Act”; amending s. 163.502, F.S.; revising legislative findings and purpose; amending s. 163.503, F.S.; revising and deleting definitions; amending s. 163.5035, F.S.; conforming provisions to changes made by the act; amending s. 163.504, F.S.; authorizing the governing body of any municipality or county to form a neighborhood improvement district through the adoption of an ordinance rather than by a planning ordinance; removing provisions pertaining to the creation and funding of safe neighborhood improvement districts; amending s. 163.5055, F.S.; requiring each neighborhood improvement district authorized under law to notify the Department of Economic Opportunity of its existence rather than to register with the Department of Community Affairs and the Department of Legal Affairs; removing the requirement that the neighborhood improvement district notify the Department of Community Affairs and the Department of Legal Affairs; amending s. 163.506, F.S.; revising provisions authorizing a local governing body to create a local government neighborhood improvement district; specifying that the ordinance may authorize the improvement district to borrow money, contract loans, and issue bonds; authorizing the governing body of the improvement district to levy ad valorem taxes upon real and tangible personal property within the district; authorizing the district to make and collect special assessments; conditioning the exercise of power by the local government neighborhood improvement district to borrow money, contract loans, issue bonds, charge, collect, and enforce fees, make and collect special assessments, and levy ad valorem taxes upon real and tangible personal property within the district upon the approval of a referendum by the freeholders of the district; providing ballot requirements; removing provisions allowing an alternative organization for the board of directors; amending s. 163.508, F.S., relating to property owners’ association neighborhood improvement districts; revising the requirements for creating a property owners’ association neighborhood improvement district by the enactment of a separate ordinance for each district; authorizing the governing body to request grants from the state; amending s. 163.511, F.S., relating to special neighborhood improvement districts; revising provisions to conform to changes made by the act; revising the method of appointing and removing directors of the district; amending s.

163.512, F.S.; revising provisions authorizing a municipality or county to create a community redevelopment neighborhood improvement district; authorizing the district to receive grants and other funding; providing that the local governing body may dissolve the district under certain circumstances; repealing s. 163.513, F.S., relating to crime prevention through community policing innovations; amending s. 163.514, F.S.; revising the powers of neighborhood improvement districts; allowing the district to contract with legal counsel and other needed professionals; authorizing the district to collect special assessments under certain circumstances and following designated procedures; amending s. 163.5151, F.S.; requiring a local government and a special neighborhood improvement district to prepare its budget in a specified manner if levying an ad valorem tax on real or personal property; amending s. 163.516, F.S.; requiring neighborhood improvement plans to be created for each improvement district; revising the contents of the neighborhood improvement district's plan; repealing s. 163.517, F.S., relating to the Safe Neighborhoods Program; repealing s. 163.519, F.S., relating to the duties of the Department of Legal Affairs relating to neighborhood improvement districts; repealing s. 163.521, F.S., relating to funding for a neighborhood improvement district inside an enterprise zone; repealing s. 163.5215, F.S., relating to the effect and construction of existing laws relating to neighborhood improvement districts; repealing s. 163.522, F.S., relating to state redevelopment programs; repealing s. 163.523, F.S., relating to cooperation and involvement of community organizations in the creation of safe neighborhood improvement districts; repealing s. 163.524, F.S., relating to participation in the Neighborhood Preservation and Enhancement Program; repealing s. 163.526, F.S., relating to powers and duties of the Neighborhood Councils and the designated agency of the local government; amending ss. 376.84, 775.083, and 932.7055, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motions by Senator Simmons, **CS for CS for SB 582** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

**SB 632**—A bill to be entitled An act relating to funerals, burials, and memorial services; creating s. 871.015, F.S.; providing a definition; prohibiting picketing or engaging in other protest activities within a specified distance of the property line of the location of a funeral, burial, or memorial service for certain persons; providing criminal penalties; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 632**, on motion by Senator Benacquisto, by two-thirds vote **CS for HB 31** was withdrawn from the Committees on Regulated Industries; and Criminal Justice.

On motion by Senator Benacquisto, the rules were waived and by two-thirds vote—

**CS for HB 31**—A bill to be entitled An act relating to protest activities; creating s. 871.015, F.S.; providing definitions; prohibiting enga-

ging in protest activities within a specified distance of the property line of the location of a funeral, burial, or memorial service; providing criminal penalties; providing an effective date.

—a companion measure, was substituted for **SB 632** and read the second time by title.

Senator Benacquisto moved the following amendment which was adopted:

**Amendment 1 (521926) (with title amendment)**—Delete lines 14-27 and insert:

(1) *As used in this section, the term “other protest activities” means any actions that are disruptive or undertaken to disrupt or disturb a funeral, burial, or memorial service.*

(2) *A person may not knowingly picket or engage in other protest activities, and a person may not knowingly cause picketing or other protest activities to occur, within 500 feet of the property line of any residence, cemetery, funeral home, house of worship, or other location during or within 1 hour before or 1 hour after the conducting of a funeral, burial, or memorial service at that place for any military service member, emergency response worker, elected official, or minor.*

And the title is amended as follows:

Delete lines 2-6 and insert: An act relating to funerals, burials, and memorial services; creating s. 871.015, F.S.; providing a definition; prohibiting picketing or engaging in other protest activities within a specified distance of the property line of the location of a funeral, burial, or memorial service for certain persons; providing

On motions by Senator Benacquisto, by two-thirds vote **CS for HB 31** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

**SB 678**—A bill to be entitled An act relating to state contracts; amending s. 287.058, F.S.; requiring all state contracts of more than a certain amount to require any call-center services to be staffed by persons located within the United States; providing an effective date.

—was read the third time by title.

On motions by Senator Smith, **SB 678** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Flores
Alexander	Dean	Gaetz
Altman	Detert	Garcia
Benacquisto	Diaz de la Portilla	Gardiner
Bennett	Dockery	Gibson
Bogdanoff	Evers	Hays
Braynon	Fasano	Jones

Joyner	Oelrich	Smith
Latvala	Rich	Sobel
Lynn	Richter	Storms
Margolis	Ring	Thrasher
Montford	Sachs	Wise
Negron	Simmons	
Norman	Siplin	

Nays—None

**CS for CS for HB 473**—A bill to be entitled An act relating to Alzheimer's disease; establishing the Purple Ribbon Task Force within the Department of Elderly Affairs; providing for membership; providing that members shall serve without compensation or reimbursement for per diem or travel expenses; requiring the department to provide administrative support; requiring the task force to submit an interim study to the Governor and Legislature regarding state trends with respect to persons having Alzheimer's disease or a related form of dementia; providing duties of the task force; authorizing the task force to hold meetings by teleconference or other electronic means, or in person without compensation or reimbursement for per diem or travel expenses; requiring the task force to submit a report in the form of an Alzheimer's disease state plan to the Governor and Legislature; providing for termination of the task force; providing an effective date.

—was read the third time by title.

On motions by Senator Richter, **CS for CS for HB 473** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

**CS for CS for SB 704**—A bill to be entitled An act relating to building construction and inspection; amending s. 162.12, F.S.; revising the authorized methods of sending notices to violators of local codes; creating s. 255.0518, F.S.; requiring a county or municipality, a department or agency of the state, a county, or a municipality, or any other public body or institution to open a sealed bid and announce the name of each bidder and the price submitted in the bid at a public meeting and make such information available upon request; amending s. 381.0065, F.S.; revising the definition of the term “bedroom” for purposes of requirements governing onsite sewage treatment and disposal systems; conforming a cross-reference; providing that a permit for the installation, modification, or repair of an onsite sewage treatment and disposal system approved by the Department of Health transfers along with the title to the property in a real estate transaction; prohibiting the transferred title from being encumbered by new permit requirements; providing criteria for an abandoned onsite sewage treatment and disposal system; providing guidelines for the reconnection of an abandoned system; providing for the applicability of rules to the construction of an onsite sewage treatment and disposal system; providing certain exemptions for a remodeled single-family home; amending s. 468.604, F.S.; authorizing a building code administrator or building official to approve the electronic filing of building plans and related documents; amending s. 468.609, F.S.; revising the eligibility requirements of a building code inspector or

plans examiner; revising criteria for the issuance of provisional certificates; amending s. 468.841, F.S.; including a person or a business organization acting within the scope of a landscape architecture license in the exemption from certain provisions related to mold assessment; amending s. 481.329, F.S.; clarifying the authority of a landscape design practitioner to submit planting plans; amending s. 489.103, F.S.; providing an exemption from construction contracting requirements for an owner who installs, removes, or replaces solar panels on certain residences while acting as the contractor; providing for an electronic signature on the permit application; requiring the building permit application and disclosure statement to include a declaration statement by the owner; providing that the issuing authority is not liable in any civil action for inaccurate information submitted by the owner using the authority's electronic permitting system; amending s. 489.105, F.S.; revising the definition of the term “demolish” for purposes of describing the scope of work of a contractor to include all buildings or residences of certain heights; clarifying the definition of the terms “roofing contractor,” “Class A air-conditioning contractor,” “Class B air-conditioning contractor,” “mechanical contractor,” and “plumbing contractor”; removing the term “glazing contractor” from within the definition of the term “contractor” for purposes of licensing by the Department of Business and Professional Regulation; reenacting s. 489.105(6), F.S., relating to the definition of the term “contracting”; clarifying the intent of the Legislature in the adoption of certain amendments to s. 489.105(6), F.S., and specifying that the amendments were intended to be remedial in nature, clarify existing law, and apply retroactively to any contract for the sale of manufactured or factory-built buildings that will be completed on site and otherwise comply with the requirements under state law; amending s. 489.113, F.S.; clarifying that subcontractors may perform construction work under the supervision of a person who is certified or registered; amending s. 553.5041, F.S.; correcting a cross-reference; amending s. 553.721, F.S.; allocating a portion of the funds derived from a surcharge on permit fees to the Florida Building Code Compliance and Mitigation Program; making technical and grammatical changes; amending s. 553.73, F.S.; exempting certain buildings or structures used for hunting from the Florida Building Code; amending s. 553.79, F.S.; requiring that a building code enforcing agency, administrator, and inspector provide certain information to a permit applicant upon a finding of noncompliance with the Florida Building Code; amending s. 553.844, F.S.; extending the expiration date to 2013 for exemption of certain equipment installation meeting the 2007 building code; amending s. 633.0215, F.S.; authorizing the electronic filing of certain construction plans for approval by the fire code administrator or fire official; amending s. 713.135, F.S.; providing that an owner or contractor is not required to personally appear and provide a notarized signature when filing a building permit application for a solar project if certain conditions are met; providing that the issuing authority is not liable in any civil action for inaccurate information submitted by the owner using the authority's electronic permitting system; requiring the Florida Building Commission to establish a workgroup to assist in the development of rules for an alternative design method for screen enclosures; providing for membership of the workgroup; providing factors that must be included in the rule; providing dates for appointment of the workgroup and adoption of a rule; requiring the commission to incorporate the alternative design method for screen enclosures into the Florida Building Code; providing conditions for expiration of the provision; providing effective dates.

—as amended March 1 was read the third time by title.

## MOTION

On motion by Senator Bennett, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bennett moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (133860)**—Delete line 1171 and insert: *Mitigation Program under s. 553.841. Beginning in the 2013-2014 fiscal year, funds allocated to the*

On motions by Senator Bennett, **CS for CS for SB 704** as amended was passed, ordered engrossed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

**HB 7017**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 267.1736, F.S., which provides an exemption from public records requirements for information identifying a donor or prospective donor to the direct-support organization established to assist the University of Florida in the historic preservation of the City of St. Augustine; removing superfluous language; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motions by Senator Oelrich, **HB 7017** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

**CS for CS for HB 1089**—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for personal identifying and location information of current and former investigators and inspectors of the Department of Business and Professional Regulation and the spouses and children of such investigators and inspectors; providing a condition to the exemption; providing for future review and repeal of the exemption; providing an exemption from public record requirements for personal identifying and location information of county tax collectors and the spouses and children of such tax collectors; providing a condition to the exemption; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motions by Senator Hays, **CS for CS for HB 1089** was passed by the required constitutional two-thirds vote of the members present and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Gibson	Ring
Bogdanoff	Hays	Sachs
Braynon	Jones	Simmons
Bullard	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Flores	Norman	

Nays—1

Mr. President

**HB 733**—A bill to be entitled An act relating to probate; amending s. 731.201, F.S.; excluding real property owned in tenancy by the entireties or in joint tenancy with rights of survivorship from the definition of the term “protected homestead”; clarifying the application of amendments to s. 732.102, F.S., made by chapter 2011-183, Laws of Florida, relating to a spouse’s share of an intestate estate; amending s. 732.401, F.S.; revising the period of time during which an attorney in fact or guardian of the property of a surviving spouse may petition for approval to elect to take a one-half interest in the decedent’s homestead; specifying the minimum duration of an extension of time; creating s. 732.1081, F.S.; barring inheritance rights of a natural or adoptive parent whose parental rights have been previously terminated pursuant to law; providing for application of the act; providing effective dates.

—was read the third time by title.

On motions by Senator Joyner, **HB 733** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

**CS for HB 463**—A bill to be entitled An act relating to weapons or firearms; creating s. 790.062, F.S.; providing that otherwise qualified members and veterans of the United States Armed Forces be issued a concealed weapon or firearm license regardless of age in certain circumstances; providing additional methods for the taking of fingerprints from such license applicants; amending s. 790.015, F.S.; providing that members and veterans of the United States Armed Forces be granted reciprocity regardless of age; amending s. 790.15, F.S.; prohibiting reckless or negligent discharge of a firearm in certain locations; providing criminal penalties; providing an effective date.

—was read the third time by title.

On motions by Senator Negron, **CS for HB 463** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

**SB 1040**—A bill to be entitled An act relating to the practice of dentistry; amending s. 466.006, F.S.; revising the eligibility requirements for taking the examinations required to practice dentistry if the applicant is a graduate of a certain dental college or school; amending s. 466.007, F.S.; revising the eligibility requirements for taking the examinations required to practice dental hygiene; revising the licensing requirements to practice as a dental hygienist; amending s. 466.017, F.S.; authorizing dental hygienists to administer certain local anesthesia under the direct supervision of a licensed dentist if certain educational requirements are met; requiring dental hygienists to maintain current certification in basic or advanced cardiopulmonary resuscitation or advanced cardiac life support with recertification every 2 years; amending s. 466.023, F.S.; revising the scope and area of practice for dental hygienists, to conform to changes made by this act; amending s. 466.024, F.S.; revising the delegated duties that are found to be remediable and delegable, to conform to changes made by this act; providing an effective date.

—as amended March 1 was read the third time by title.

Senator Bogdanoff moved the following amendment:

**Amendment 1 (857106)**—Delete lines 83-134 and insert:

2. In the case of a graduate of a dental college or school under subparagraph (2)(b)2., ~~has~~

a. Successfully completed either the National Board of Dental Hygiene Examination or the National Board of Dental Examiners dental Examination; ~~within 10 years of the date of application.~~

b. *Has not been disciplined by a board, except for citation offenses or minor violations; and*

c. *Has not been convicted of or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession.*

(4) *Effective July 1, 2012, to be licensed as a dental hygienist in this state, an applicant must successfully complete the following:*

(a) A written examination on the laws and rules of this state regulating the practice of dental hygiene.

(b) A practical or clinical examination *approved by the board. The examination shall be the Dental Hygiene Examination produced by the American Board of Dental Examiners, Inc. (ADEX) or its successor entity, if any, if the board finds that the successor entity's clinical examination meets or exceeds the provisions of this section. The board shall approve the ADEX Dental Hygiene Examination if the board has attained and continues to maintain representation on the ADEX House of Representatives, the ADEX Dental Hygiene Examination Development Committee, and such other ADEX Dental Hygiene committees as the board deems appropriate through rulemaking to ensure that the standards established in*

*this section are maintained organizationally. The ADEX Dental Hygiene Examination or the examination by the successor entity administered in this state shall be graded by dentists and dental hygienists licensed in this state who are employed by the department for this purpose.*

(5) *Effective July 1, 2012, an applicant who has completed the ADEX Dental Hygiene Examination in a jurisdiction other than this state and who has obtained a passing score may practice dental hygiene in this state if the applicant:*

(a) *Has successfully completed the National Board Dental Hygiene Examination at any time before the date of application;*

(b) *Has been certified by the American Dental Association Joint Commission on National Dental Examinations at any time before the date of application, as specified by state law;*

(c) *Has successfully completed a written examination on the laws and rules of this state regulating the practice of dental hygiene;*

(d) *Has not been disciplined by a board, except for citation offenses or minor violations; and*

(e) *Has not been convicted of or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession.*

(6) *If an applicant fails to pass the ADEX Dental Hygiene Examination in three attempts, the applicant is not eligible to retake the examination unless the applicant completes additional education requirements as specified by the board. The practical*

## MOTION

On motion by Senator Bogdanoff, by the required two-thirds vote, consideration of the following amendments were allowed:

Senator Bogdanoff moved the following amendments to **Amendment 1** which were adopted by two-thirds vote:

**Amendment 1A (921798)**—Delete lines 54-57 and insert:

(6)(a) *A passing score on the ADEX Dental Hygiene Examination administered out of state shall be considered the same as a passing score for the ADEX Dental Hygiene Examination administered in this state and graded by licensed dentists and dental hygienists.*

(b) *If an applicant fails to pass the ADEX Dental Hygiene Examination in three attempts, the applicant is not eligible to retake the examination unless the applicant completes additional education requirements as specified by the board. The practical*

**Amendment 1B (679394)**—Delete lines 33-36 and insert: *organizationally. The ADEX Dental Hygiene Examination or the examination produced by its successor entity is a comprehensive examination in which an applicant must demonstrate skills within the dental hygiene scope of practice on a live patient and any other components that the board deems necessary for the applicant to successfully demonstrate competency for the purpose of licensure. The ADEX Dental Hygiene Examination or the examination by the successor entity administered in this state shall be graded by dentists and dental hygienists licensed in this state who are employed by the department for this purpose.*

**Amendment 1** as amended was adopted by two-thirds vote.

On motions by Senator Bogdanoff, **SB 1040** as amended was passed, ordered engrossed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—33

Mr. President	Dean	Gaetz
Alexander	Detert	Garcia
Altman	Diaz de la Portilla	Gardiner
Benacquisto	Dockery	Hays
Bennett	Evers	Jones
Bogdanoff	Fasano	Latvala
Braynon	Flores	Montford



Negron	Richter	Smith
Norman	Ring	Storms
Oelrich	Simmons	Thrasher
Rich	Siplin	Wise

Nays—7

Bullard	Lynn	Sobel
Gibson	Margolis	
Joyner	Sachs	

**HB 541**—A bill to be entitled An act relating to administrative procedures; amending s. 120.54, F.S.; directing an agency under the Administrative Procedure Act to send written notice of certain rules affecting small businesses to the rules ombudsman in the Executive Office of the Governor rather than to the Department of Economic Opportunity; amending s. 120.55, F.S.; revising provisions with respect to the revision and publication of the Florida Administrative Code to provide that the Department of State is not required to publish a printed version of the code but may contract with a publishing firm for a printed publication; providing that the electronic version of the code is the official compilation of the administrative rules of the state; providing for adopted rules and material incorporated by reference to be filed in electronic forms; renaming the “Florida Administrative Weekly” as the “Florida Administrative Register”; requiring a continuous revision and publication of the Florida Administrative Register on an Internet website managed by the Department of State; revising content and website search requirements; deleting a requirement to provide printed copies of the Florida Administrative Register to certain federal and state entities; providing a directive to the Division of Statutory Revision; providing an effective date.

—was read the third time by title.

On motions by Senator Garcia, **HB 541** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

**CS for HB 483**—A bill to be entitled An act relating to the Uniform Commercial Code; revising and providing provisions of the Uniform Commercial Code relating to secured transactions to conform to the revised Article 9 of the Uniform Commercial Code as prepared by the National Conference of Commissioners on Uniform State Laws; amending s. 679.1021, F.S.; revising and providing definitions; amending s. 679.1051, F.S.; revising provisions relating to control of electronic chattel paper; amending s. 679.3071, F.S.; revising provisions relating to the location of debtors; amending s. 679.3111, F.S.; making editorial changes; amending s. 679.3161, F.S.; providing rules that apply to certain collateral to which a security interest attaches; providing rules relating to certain financing statements; amending s. 679.3171, F.S.; revising provisions relating to interests that take priority over or take free of a security interest or agricultural lien; amending s. 679.326, F.S.; revising priority of security interests created by a new debtor; amending ss. 679.4061 and 679.4081, F.S.; revising application; amending s. 679.5021, F.S.; revising when a record of a mortgage satisfying the re-

quirements of chapter 697 is effective as a filing statement; amending s. 679.5031, F.S.; revising when a financing statement sufficiently provides the name of the debtor; amending s. 679.5071, F.S.; revising the effect of certain events on the effectiveness of a financing statement; amending s. 679.515, F.S.; revising the duration and effectiveness of a financing statement; amending s. 679.516, F.S.; revising instances when filing does not occur with respect to a record that a filing office refuses to accept; amending s. 679.518, F.S.; revising requirements for claims concerning an inaccurate or wrongfully filed record; amending s. 679.607, F.S.; revising recording requirements for the enforcement of mortgages nonjudicially outside this state; creating part VIII of chapter 679, F.S., relating to transition from prior law under the chapter to law under the chapter as amended by this act; creating s. 679.801, F.S.; providing scope of application and limitations; creating s. 679.802, F.S.; providing that security interests perfected under prior law that also satisfy the requirements for perfection under this act remain effective; creating s. 679.803, F.S.; providing that security interests unperfected under prior law but that satisfy the requirements for perfection under this act will become effective July 1, 2013; creating s. 679.804, F.S.; providing when financing statements effective under prior law in a different jurisdiction remain effective; creating s. 679.805, F.S.; requiring the recording of a financing statement in lieu of a continuation statement under certain conditions; providing for the continuation of the effectiveness of a financing statement filed before the effective date of this act under certain conditions; creating s. 679.806, F.S.; providing requirements for the amendment of financing statements filed before the effective date of this act; providing requirements for financing statements prior to amendment; creating s. 679.807, F.S.; providing person entitled to file initial financing statement or continuation statement; creating s. 679.808, F.S.; providing priority of conflicting claims to collateral; amending s. 680.1031, F.S.; conforming a cross-reference; providing a directive to the Division of Statutory Revision; providing an effective date.

—was read the third time by title.

On motions by Senator Richter, **CS for HB 483** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Gibson	Sachs
Bogdanoff	Hays	Simmons
Braynon	Jones	Siplin
Bullard	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—None

## SPECIAL ORDER CALENDAR

Consideration of **CS for CS for HB 245**, **HB 4087** and **CS for SB 1596** was deferred.

**CS for SB 110**—A bill to be entitled An act relating to spaceport territory; amending s. 331.304, F.S.; revising spaceport territory to include certain properties; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 110**, on motion by Senator Wise, by two-thirds vote **CS for HB 59** was withdrawn from the Committees on Military Affairs, Space, and Domestic Security; Commerce and Tourism; Community Affairs; Budget Subcommittee on Finance and Tax; and Committee on Budget.

On motion by Senator Wise—

**CS for HB 59**—A bill to be entitled An act relating to spaceport territory; amending s. 331.304, F.S.; revising spaceport territory to include certain properties; providing an effective date.

—a companion measure, was substituted for **CS for SB 110** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 59** was placed on the calendar of Bills on Third Reading.

**CS for SB 872**—A bill to be entitled An act relating to murder; amending s. 782.04, F.S.; providing that the unlawful killing of a human being when committed by a person engaged in the perpetration of, or in the attempt to perpetrate, the offense of aggravated fleeing or eluding with serious bodily injury or death, is murder of a specified degree, dependent upon certain circumstances; amending s. 921.0022, F.S.; revising provisions of the offense severity ranking chart of the Criminal Punishment Code to conform to changes made by the act; reenacting ss. 775.0823, 782.051, 782.065, and 947.146(3), F.S., relating to violent offenses committed against law enforcement officers and others, attempted felony murder, murder of a law enforcement officer, and the Control Release Authority, respectively, to incorporate the amendments made to s. 782.04, F.S., in references thereto; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 872** to **CS for CS for HB 667**.

Pending further consideration of **CS for SB 872** as amended, on motion by Senator Fasano, by two-thirds vote **CS for CS for HB 667** was withdrawn from the Committees on Criminal Justice; Budget Subcommittee on Criminal and Civil Justice Appropriations; and Budget.

On motion by Senator Fasano—

**CS for CS for HB 667**—A bill to be entitled An act relating to murder; providing a short title; amending s. 782.04, F.S.; providing that the unlawful killing of a human being when committed by a person engaged in the perpetration of, or in the attempt to perpetrate, the offense of aggravated fleeing or eluding with serious bodily injury or death is murder of a specified degree, dependent upon certain circumstances; amending s. 782.065, F.S.; requiring life imprisonment for defendants convicted of specified offenses where the victim is a correctional or correctional probation officer or a related type of officer; amending s. 921.0022, F.S.; revising provisions of the offense severity ranking chart of the Criminal Punishment Code to conform to changes made by the act; reenacting ss. 775.0823, 782.051, 782.065, and 947.146(3), F.S., relating to violent offenses committed against law enforcement officers and others, attempted felony murder, murder of a law enforcement officer, and the Control Release Authority, respectively, to incorporate the amendment made to s. 782.04, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 872** as amended and read the second time by title.

On motions by Senator Fasano, by two-thirds vote **CS for CS for HB 667** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Latvala
Alexander	Evers	Lynn
Altman	Fasano	Margolis
Benacquisto	Flores	Montford
Bennett	Gaetz	Negron
Bogdanoff	Garcia	Norman
Braynon	Gardiner	Oelrich
Bullard	Gibson	Rich
Dean	Hays	Richter
Detert	Jones	Ring
Diaz de la Portilla	Joyner	Sachs

Simmons	Sobel	Thrasher
Siplin	Storms	Wise

Nays—1

Smith

## MOTION

On motion by Senator Thrasher, the rules were waived and time of recess was extended until 12:00 p.m.

**SB 188**—A bill to be entitled An act relating to growth policy; repealing s. 163.2523, F.S., relating to the Urban Infill and Redevelopment Assistance Grant Program, to terminate the program; amending ss. 163.065, 163.2511, and 163.2514, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 188**, on motion by Senator Flores, by two-thirds vote **HB 4003** was withdrawn from the Committees on Community Affairs; Environmental Preservation and Conservation; Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; and Budget.

On motion by Senator Flores—

**HB 4003**—A bill to be entitled An act relating to growth policy; repealing s. 163.2523, F.S., relating to the Urban Infill and Redevelopment Assistance Grant Program, to terminate the program; amending ss. 163.065, 163.2511, and 163.2514, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—a companion measure, was substituted for **SB 188** and read the second time by title.

## MOTION

On motion by Senator Bogdanoff, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Bogdanoff moved the following amendment:

**Amendment 1 (832626) (with title amendment)**—Between lines 55 and 56 insert:

Section 5. *A local government may not adopt or impose any supermajority voting requirement, by charter provision, ordinance, or otherwise, for the transmittal or adoption of amendments to the comprehensive plan.*

And the title is amended as follows:

Delete line 7 and insert: made by the act; prohibiting a local government from adopting or imposing any supermajority voting requirement for the transmittal or adoption of amendments to the comprehensive plan; providing an effective date.

## POINT OF ORDER

Senator Rich raised a point of order that pursuant to Rule 7.1 **Amendment 1 (832626)** was not germane to the bill.

The President referred the point of order and the amendment to Senator Thrasher, Chair of the Committee on Rules.

On motion by Senator Flores, further consideration of **HB 4003** with pending point of order and pending **Amendment 1 (832626)** was deferred.

On motion by Senator Lynn—

**CS for SB 362**—A bill to be entitled An act relating to surgical technology; amending s. 395.0191, F.S.; requiring licensed facilities to establish policies and procedures for the employment of surgical technologists; providing a definition; providing educational and credentialing requirements; providing exceptions; providing an effective date.

—was read the second time by title.

Senator Lynn moved the following amendment which was adopted:

**Amendment 1 (283874)**—Delete line 21 and insert: *procedure is conducted efficiently, provided that nothing in this subparagraph alters or affects any other law related to the supervision of surgical technologists. Surgical technologist duties*

Pursuant to Rule 4.19, **CS for SB 362** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

## MOTIONS

On motion by Senator Thrasher, by two-thirds vote all bills remaining on the Special Order Calendar this day, with the exception of **CS for SB's 1776, 456, 766 and 926**, were placed on the Special Order Calendar for Monday, March 5.

## ANNOUNCEMENTS RELATING TO COMMITTEE MEETINGS

Pursuant to Rule 2.6(2), Senator Thrasher announced that the Committee on Budget will extend time of adjournment until 5:30 p.m. in lieu of 4:30 p.m. as scheduled this day.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for SB 504, CS for CS for SB 802, CS for CS for CS for SB 842, CS for SJR 1064, CS for CS for SB 1206, CS for CS for SB 1366, CS for CS for SB 1368, CS for CS for SB 1406, CS for CS for SB 1464, CS for CS for CS for SB 1568, CS for SB 1704, and CS for CS for SB 2054** were withdrawn from the Committee on Budget.

Senator Thrasher moved that **CS for SB 1718** be withdrawn from the Committee on Budget. The motion failed to receive the required two-thirds vote. The vote was:

Yeas—20

Mr. President	Fasano	Norman
Alexander	Flores	Oelrich
Altman	Gaetz	Richter
Benacquisto	Garcia	Simmons
Bogdanoff	Gardiner	Storms
Diaz de la Portilla	Hays	Thrasher
Evers	Negron	

Nays—19

Bennett	Jones	Ring
Braynon	Joyner	Sachs
Bullard	Latvala	Siplin
Dean	Lynn	Smith
Detert	Margolis	Sobel
Dockery	Montford	
Gibson	Rich	

On motion by Senator Thrasher, by two-thirds vote **CS for SB 380 and CS for SB 1006** were withdrawn from the Committee on Commerce and Tourism; and **CS for SJR 1508** was withdrawn from the Committee on Rules.

## ANNOUNCEMENTS RELATING TO COMMITTEE MEETINGS

Pursuant to Rule 2.6(2), Senator Thrasher announced that the Committee on Budget will meet Saturday, March 3, from 8:00 a.m. until 10:00 a.m.

## REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Friday, March 2, 2012: **CS for SB 110, CS for SB 872, SB 188, CS for SB 362, CS for SB 376, CS for SB 510, CS for SB 536, CS for SB 544, SB 562, SB 952, CS for SB 1132, CS for SB 1204, SB 1220, CS for SB 1230, CS for SB 1258, CS for SB 1354, CS for CS for SB 1390, CS for SB 1392, SM 1614, CS for SB's 1776, 456, 766 and 926, SM 1836, SM 1840, SM 1854, CS for CS for SB 1886, SB 2076, SB 2130.**

Respectfully submitted,  
John Thrasher, Chair

The Committee on Budget Subcommittee on Health and Human Services Appropriations recommends committee substitutes for the following: **CS for CS for SB 1516; SB 1646**

**The bills with committee substitute attached were referred to the Committee on Budget under the original reference.**

The Committee on Budget recommends a committee substitute for the following: **CS for SB 1304**

**The bill with committee substitute attached was referred to the Committee on Rules under the original reference.**

The Committee on Budget recommends committee substitutes for the following: **CS for SB 1122; SB 1312; CS for SB 1866; CS for SB 2024; CS for SB 2084**

**The bills with committee substitute attached were placed on the Calendar.**

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committees on Budget; and Transportation; and Senator Latvala—

**CS for CS for SB 1122**—A bill to be entitled An act relating to highway safety and motor vehicles; amending s. 20.24, F.S.; renaming the Office of Motor Carrier Compliance within the Division of the Florida Highway Patrol as the "Office of Commercial Vehicle Enforcement"; amending s. 316.003, F.S.; revising the definition of the term "motor vehicle" to exclude swamp buggies; defining the terms "swamp buggy" and "road rage"; amending s. 316.0083, F.S.; providing for the dismissal of a uniform traffic citation for failure to stop at a red light when the motor vehicle owner is deceased and an affidavit with specified supporting documents is filed with the issuing agency; amending s. 316.1303, F.S.; authorizing a person who is mobility impaired to use a motorized wheelchair to temporarily leave the sidewalk and use the roadway under certain circumstances; authorizing a law enforcement officer to issue only a verbal warning to such person; amending s. 316.183, F.S.; revising a provision that prohibits a school bus from exceeding the posted speed limits; amending s. 316.2065, F.S.; revising safety standard requirements for bicycle helmets that must be worn by certain riders and passengers; revising requirements for a bicycle operator to ride in a bicycle lane or along the curb or edge of the roadway; providing for enforcement of requirements for bicycle lighting equipment; providing penalties for violations; providing for dismissal of the charge following a first offense under certain circumstances; amending s. 316.2085, F.S.; requiring that the license tag of a motorcycle or moped remain clearly visible from the rear at all times; prohibiting deliberate acts to conceal or obscure the license tag; removing a condition requiring

an affixed transponder for a motorcycle or moped license plate that reads from top to bottom and is affixed perpendicular to the ground; providing penalties; amending s. 316.2126, F.S.; authorizing municipalities to use golf carts and utility vehicles to cross the State Highway System and operate on sidewalks adjacent to state highways under certain circumstances; creating s. 316.2129, F.S.; authorizing the operation of swamp buggies on a public road, highway, or street if a local governmental entity has designated the public road, highway, or street for such use; providing that the authorization does not apply to the State Highway System; authorizing the operation of swamp buggies on land managed, owned, or leased by a state or federal agency; amending s. 316.2397, F.S.; providing an exception to the prohibition against flashing vehicle lights for motorists who intermittently flash the vehicle's headlamps at an oncoming vehicle, regardless of the intent in doing so, and for persons operating bicycles equipped with lamps; amending s. 316.302, F.S.; requiring owners or drivers of commercial motor vehicles that are engaged in intrastate commerce to be subject to specified federal rules and regulations as such rules and regulations existed on a certain date; providing that certain restrictions on the number of consecutive hours that a commercial motor vehicle may operate do not apply to a farm labor vehicle operated during a state of emergency or during an emergency pertaining to agriculture; correcting terminology; amending s. 316.3026, F.S., relating to unlawful operation of motor carriers; conforming provisions to changes made by the act; amending s. 316.613, F.S., relating to requirements for the operator of a vehicle to use child restraints; providing that such provisions do not apply to certain for-hire vehicles; providing for the obligation of a parent, guardian, or other person responsible for a child's welfare to comply with the requirements; amending s. 316.6135, F.S.; revising the criteria under which a child may not be left unattended in a vehicle; providing penalties; amending s. 316.655, F.S.; providing that a driver convicted of a violation of certain offenses relating to motor vehicles which resulted in an accident may have his or her driving privileges revoked or suspended; amending s. 318.14, F.S.; authorizing a person who does not hold a commercial driver license and who is cited for a noncriminal traffic infraction while driving a noncommercial motor vehicle to elect to attend a basic driver improvement course in lieu of a court appearance; authorizing a person who does not hold a commercial driver license and who is cited for certain offenses while driving a noncommercial motor vehicle to elect to enter a plea of nolo contendere and to provide proof of compliance in lieu of payment of fine or court appearance; amending s. 318.1451, F.S.; revising provisions relating to driver improvement schools and education programs for driver license applicants; requiring the curricula of such programs to include instruction on the risks associated with using a handheld electronic communication device while operating a motor vehicle; amending s. 318.15, F.S.; providing that a person charged with a traffic infraction may request a hearing within a specified period after the date upon which the violation occurred; requiring that the clerk set the case for hearing; providing exceptions to the time period for requesting a hearing; authorizing the court to grant a request for a hearing made after the time period has expired; amending s. 318.18, F.S., relating to penalties and disposition of penalties; conforming a cross-reference; specifying the amount of the fine and the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.21, F.S.; conforming a cross-reference; amending s. 319.14, F.S.; prohibiting the sale or exchange of custom vehicles or street rod vehicles under certain conditions; providing definitions; amending s. 319.23, F.S.; requiring that the application for a certificate of title, corrected certificate, or assignment or reassignment be filed within a certain time period after the consummation of the sale of a mobile home; authorizing the department to accept a bond and affidavit if the applicant for a certificate of title is unable to provide a title that assigns the prior owner's interest in the motor vehicle; providing requirements for the bond and the affidavit; providing that an interested person has a right to recover on the bond; limiting liability to the amount of the bond; providing for future expiration of the bond; amending s. 319.24, F.S.; requiring that the department electronically transmit a lien to the first lienholder and notify the first lienholder of any additional liens if there are one or more lien encumbrances on a motor vehicle or mobile home; requiring that subsequent lien satisfactions be transmitted electronically to the department; amending s. 319.27, F.S.; requiring that the department establish and administer an electronic titling program; requiring the electronic recording of vehicle title information for new, transferred, and corrected certificates of title; requiring that lienholders electronically transmit liens and lien satisfactions to the department; providing exceptions; amending s. 319.28, F.S.; providing that a dealer of certain farm or industrial equipment is not subject to licensure as a

recovery agent or agency under certain conditions; amending s. 319.30, F.S.; authorizing the department to adopt rules to implement an electronic system for issuing salvage certificates of title and certificates of destruction; amending s. 319.40, F.S.; authorizing the department to issue an electronic certificate of title in lieu of printing a paper title and to collect electronic mail addresses and use electronic mail as a notification method in lieu of the United States Postal Service; providing an exception; amending s. 320.01, F.S.; revising the definition of the term "motor vehicle" to exclude special mobile equipment and swamp buggies; defining the term "swamp buggy"; amending s. 320.02, F.S.; providing that an active duty member of the Armed Forces of the United States is exempt from the requirement to provide an address on an application for vehicle registration; revising provisions relating to the registration of a motor carrier who operates a commercial motor vehicle without liability insurance, a surety bond, or a valid self-insurance certificate; providing that the registration shall be canceled on the expiration date noted in the cancellation notice that the department receives from the insurer; requiring that the insurer provide notice to the department at the same time the cancellation notice is provided to the insured; authorizing the department to adopt rules regarding the electronic submission of the cancellation notice; removing a provision that prohibits cancellation of liability insurance or surety bond on less than 30 days' notice to the department; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make certain voluntary contributions to specified not-for-profit entities; providing that such contributions are not income for specified purposes; requiring that the department retain all electronic registration records for a specified period; amending s. 320.03, F.S.; conforming a cross-reference; amending s. 320.06, F.S.; authorizing the department to conduct a pilot program to evaluate the designs, concepts, and technologies for alternative license plates; requiring that the department investigate the feasibility and use of alternative license plate technologies and the long-term cost impact to the consumer for purposes of the pilot program; requiring limiting the scope of the pilot program to license plates that are used on government-owned motor vehicles; providing an exemption for such license plates from certain requirements; providing that license plates issued under ch. 320, F.S., are the property of the state; amending s. 320.0605, F.S.; revising provisions relating to a requirement that rental or lease documentation be in the possession of an operator of a motor vehicle; providing specified information sufficient to satisfy this requirement; amending s. 320.061, F.S.; prohibiting a person from altering the original appearance of a temporary license plate; amending s. 320.07, F.S.; revising provisions relating to the expiration of a registration of a motor vehicle or mobile home; providing that the registration for a motor vehicle or mobile home whose owner is a natural person expires at midnight on the owner's birthday; amending s. 320.08056, F.S.; increasing the annual use fee for the Tampa Bay Estuary license plate; amending s. 320.08058, F.S.; providing that up to 15 percent of the proceeds from the annual use fees for the Florida Golf license plate may be used by the Dade Amateur Golf Association for the administration of the Florida Junior Golf Program; amending s. 320.08068, F.S.; revising provisions relating to the use of funds received from the sale of motorcycle specialty license plates; deleting a provision that requires that 20 percent of the annual fee collected for such plates be used to leverage additional funding and new sources of revenue for the centers for independent living; amending s. 320.0848, F.S.; revising the requirements for the deposit of fee proceeds from temporary disabled parking permits; requiring that certain proceeds be deposited into the Florida Endowment Foundation for Vocational Rehabilitation, instead of the Florida Governor's Alliance for the Employment of Disabled Citizens; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate and a Vietnam War Veterans license plate; providing qualifications and requirements for the plate; amending s. 320.13, F.S.; authorizing a dealer of heavy trucks, upon payment of a license tax, to secure one or more dealer license plates under certain circumstances; providing that the license plates may be used for demonstration purposes for a specified period; requiring that the license plates be validated on a form prescribed by the department and be retained in the vehicle being operated; amending s. 320.15, F.S.; providing that an owner of a motor vehicle or mobile home may apply for a refund of certain license taxes if the owner renews a registration during the advanced renewal period and surrenders the motor vehicle or mobile home license plate before the end of the renewal period; amending s. 320.27, F.S.; providing an exemption for salvage motor vehicle dealers from certain application and security requirements; amending s. 320.771, F.S.; revising the definition of the term "dealer"; amending s. 320.95, F.S.; authorizing the department to collect electronic mail ad-

addresses and use electronic mail for the purpose of providing renewal notices in lieu of the United States Postal Service; amending s. 322.0261, F.S.; revising provisions relating to driver improvement schools and education programs for driver license applicants to conform to changes made by the act; amending s. 322.04, F.S.; revising provisions exempting a nonresident from the requirement to obtain a driver license under certain circumstances; amending s. 322.051, F.S.; revising requirements by which an applicant for an identification card may prove non-immigrant classification; clarifying the validity of an identification card based on specified documents; authorizing the department to require additional documentation to establish the maintenance of, or efforts to maintain, continuous lawful presence; providing for the department to waive the fee for issuing or renewing an identification card to a person who is homeless; amending s. 322.058, F.S.; conforming a cross-reference; amending s. 322.065, F.S.; revising provisions relating to a person whose driver license has expired for 6 months or less and who drives a motor vehicle; amending s. 322.07, F.S.; revising provisions relating to temporary commercial instruction permits; amending s. 322.08, F.S.; revising provisions relating to an application for a driver license or temporary permit; requiring that applicants prove non-immigrant classification by providing certain documentation; authorizing the department to require additional documentation to establish the maintenance of, or efforts to maintain, continuous lawful presence; revising the length of time a license is valid when issuance is based on documentation required under specified provisions; requiring the application forms for an original, renewal, or replacement driver license to include language permitting the applicant to make certain voluntary contributions to specified not-for-profit entities; authorizing the department to collect electronic mail addresses and use electronic mail for the purpose of providing renewal notices in lieu of the United States Postal Service; amending s. 322.095, F.S.; revising provisions relating to driver improvement schools and education programs for driver license applicants to conform to changes made by the act; amending s. 322.121, F.S.; conforming a provision relating to Safe Driver designation; revising provisions authorizing the automatic extension of a license for members of the Armed Forces of the United States or their dependents while serving on active duty outside the state; amending s. 322.14, F.S.; deleting a requirement that a qualified driver license applicant appear in person for issuance of a color photographic or digital imaged driver license; creating s. 322.1415, F.S.; authorizing the department to issue a specialty driver license or identification card to qualified applicants; specifying that, at a minimum, the specialty driver licenses and identification cards must be available for certain state and independent universities and professional sports teams and all of the branches of the Armed Forces of the United States; requiring that the department approve the design of each specialty driver license and identification card; providing for future expiration; amending s. 322.142, F.S.; providing district medical examiners access to driver information maintained in the Driver and Vehicle Information Database for a specified purpose; creating s. 322.145, F.S.; requiring that the department implement a system providing for the electronic authentication of driver licenses; providing criteria for a security token for electronic authenticity; requiring that the department enter into a contract for implementation of the electronic authentication; providing contract requirements; amending s. 322.19, F.S.; providing that certain persons who have a valid student identification card are presumed not to have changed their legal residence or mailing address; amending s. 322.21, F.S.; revising provisions relating to license fees; prohibiting the fee for an original or renewal of an enhanced driver license or identification card from exceeding a specified amount; requiring that the funds collected from such fee be deposited into the Highway Safety Operating Trust Fund; providing that the issuance of an enhanced driver license or identification card is optional for certain qualified residents; providing for the distribution of funds collected from the specialty driver license and identification card fees; amending s. 322.251, F.S.; providing that certain notices of cancellation, suspension, revocation, or disqualification of a driver license are complete within a specified period after deposit in the mail; amending s. 322.27, F.S.; revising the department's authority to suspend or revoke licenses or identification cards under certain circumstances; repealing s. 322.292(5), F.S., relating to private probation services providers referring probationers to any DUI program owned in whole or in part by that probation services provider or its affiliates; amending s. 322.53, F.S.; revising an exemption from the requirement to obtain a commercial driver license for farmers transporting agricultural products, farm supplies, or farm machinery under certain circumstances; providing that such exemption applies if the vehicle is not used in the operations of a common or contract motor carrier; amending s. 322.54,

F.S.; requiring that persons who drive a motor vehicle having a gross vehicle weight rating or gross vehicle weight of a specified amount or more possess certain classifications of driver licenses; repealing s. 322.58, F.S., relating to holders of chauffeur licenses and the classified licensure of commercial motor vehicle drivers; amending s. 322.59, F.S.; revising provisions relating to the possession of a medical examiner's certificate; requiring that the department disqualify a driver from operating a commercial motor vehicle if the driver holds a commercial driver license and fails to comply with the medical certification requirements; authorizing the department to issue, under certain circumstances, a Class E driver license to a person who is disqualified from operating a commercial motor vehicle; amending s. 322.61, F.S.; revising provisions relating to the disqualification from operating a commercial motor vehicle; providing that any holder of a commercial driver license who is convicted of two violations committed while operating any motor vehicle is permanently disqualified from operating a commercial motor vehicle; amending s. 323.002, F.S.; providing that an unauthorized wrecker operator's wrecker, tow truck, or other motor vehicle used during certain offenses may be immediately removed and impounded; requiring that an unauthorized wrecker operator disclose in writing to the owner or operator of a motor vehicle certain information; requiring that the unauthorized wrecker operator also provide a copy of the disclosure to the owner or operator in the presence of a law enforcement officer if at the scene of a motor vehicle accident; authorizing a law enforcement officer from a local governmental agency or state law enforcement agency to cause to be removed and impounded from the scene of a wrecked or disabled vehicle an unauthorized wrecker, tow truck, or other motor vehicle; authorizing the authority that caused the removal and impoundment to assess a cost recovery fine; requiring a release form; requiring that the wrecker, tow truck, or other motor vehicle remain impounded until the fine has been paid; providing the amounts for the cost recovery fine for first-time and subsequent violations; requiring that the unauthorized wrecker operator pay the fees associated with the removal and storage of the wrecker, tow truck, or other motor vehicle; amending s. 324.072, F.S.; prohibiting the department from suspending a registration of a motor vehicle if the person to whom the motor vehicle is registered had certain limits on the date of the offense that caused the suspension or revocation; amending s. 324.091, F.S.; revising the period within which an owner or operator involved in a crash must furnish evidence of automobile liability insurance, motor vehicle liability insurance, or surety bond; amending s. 328.15, F.S.; requiring that the department establish and administer an electronic titling program that requires the recording of vessel title information for new, transferred, and corrected certificates of title; requiring that lienholders electronically transmit liens and lien satisfactions to the department; providing exceptions; amending s. 328.16, F.S.; requiring that the department electronically transmit a lien to the first lienholder and notify such lienholder of any additional liens; requiring that subsequent lien satisfactions be electronically transmitted to the department; amending s. 328.30, F.S.; authorizing the department to issue an electronic certificate of title in lieu of printing a paper title; authorizing the department to collect electronic mail addresses and use electronic mail for the purpose of providing renewal notices in lieu of the United States Postal Service; amending s. 520.32, F.S.; providing an exemption to specified licensing requirements for motor vehicle dealers licensed under specified provisions; providing for application of the exemption; amending s. 713.78, F.S.; conforming a cross-reference; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving, including imposition of an increased fine; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; amending s. 318.121, F.S.; revising the preemption of additional fees, fines, surcharges, and court costs to allow imposition of the increased fine for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; providing a short title; requiring the Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver's license educational materials; providing legislative intent and findings; providing effective dates.

By the Committees on Budget; Budget Subcommittee on Finance and Tax; and Budget Subcommittee on Finance and Tax—

**CS for CS for SB 1304**—A bill to be entitled An act relating to tax administration; amending s. 211.3103, F.S.; revising the excise tax rates levied upon each ton of phosphate rock severed; specifying the period during which the rates apply; revising the distribution of the revenues received; deleting obsolete provisions; amending s. 212.03, F.S.; providing that charges for the storage of towed vehicles are taxable, unless the vehicles are impounded by a local, state, or federal law enforcement agency; amending s. 212.07, F.S.; conforming a cross-reference to changes made by the act; subjecting a dealer to monetary and criminal penalties for the willful failure to collect certain taxes or fees after notice of the duty to collect the taxes or fees by the Department of Revenue; amending s. 212.08, F.S.; providing an exemption from the tax on sales, use, and other transactions for the sale or lease of accessible taxicabs; providing a definition of the term “accessible taxicab”; amending s. 212.12, F.S.; deleting provisions relating to the imposition of criminal penalties after notice by the Department of Revenue of requirements to register as a dealer or to collect taxes; making technical and grammatical changes to provisions specifying penalties for making a false or fraudulent return with the intent to evade payment of a tax or fee; amending s. 212.14, F.S.; defining the term “person”; authorizing the Department of Revenue to adopt rules relating to requirements for a person to deposit cash, a bond, or other security with the department in order to ensure compliance with sales tax laws; making technical and grammatical changes; amending s. 212.18, F.S.; subjecting a person to criminal penalties for willfully failing to register as a dealer after notice of the duty to register by the Department of Revenue; making technical and grammatical changes; amending s. 213.13, F.S.; revising the due date for funds collected by the clerks of court to be transmitted to the Department of Revenue; creating s. 213.295, F.S.; providing definitions; subjecting a person to criminal penalties and monetary penalties for knowingly selling an automated sales suppression device, zapper, or phantom-ware; defining sales suppression devices and phantom-ware as contraband articles under the Florida Contraband Forfeiture Act; amending s. 213.756, F.S.; providing an absolute defense by a retailer against a purchaser’s claim for a refund; amending s. 220.153, F.S.; redefining the term “qualified capital expenditures” for purposes of apportionment by sales factor; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to release photographs or digital images to the Department of Revenue in order to identify individuals for purposes of tax administration; amending s. 336.021, F.S.; revising the date for imposing the ninth-cent fuel tax; amending s. 336.025, F.S.; revising the date when impositions and rate changes of the local option fuel tax are levied; amending s. 443.131, F.S.; imposing a requirement on employers to produce records for the Department of Economic Opportunity or its tax collection service provider as a prerequisite for a reduction in the rate of unemployment tax; amending s. 443.141, F.S.; providing a method to calculate the interest rate for past due contributions and reimbursements, and delinquent, erroneous, incomplete, or insufficient reports; providing for application; providing effective dates.

By the Committee on Budget; and Senator Gaetz—

**CS for SB 1312**—A bill to be entitled An act relating to administrative authority; providing legislative findings; providing legislative intent; amending s. 20.02, F.S.; clarifying the authority of the Governor; amending s. 20.03, F.S.; revising the definition of the terms “head of the department” and “secretary”; defining the term “to serve at the pleasure”; clarifying supervisory powers of appointing authority; amending s. 20.05, F.S., relating to powers and duties of department heads; incorporating constitutional allocation of executive authority; creating s. 120.515, F.S.; declaring policy regarding executive authority with respect to the Administrative Procedure Act; amending s. 120.52, F.S.; revising the term “agency head” to clarify supervisory powers of the appointing authority; amending s. 11.242, F.S.; providing for removal of duplicative, redundant, or unused rulemaking authority as part of the reviser’s bill process; repealing s. 14.34(3), F.S., relating to the Governor’s Medal of Merit; repealing rulemaking authority; amending s. 15.16, F.S.; deleting authority of the Department of State to adopt rules relating to the issuance of apostilles; repealing s. 15.18(7), F.S., relating to international and cultural relations; repealing rulemaking authority of the Secretary of State with respect to entering into contracts that are primarily for promotional services and events; amending s. 16.60, F.S.;

deleting authority of the Attorney General to adopt rules relating to mediation proceedings; repealing s. 17.0416(2), F.S., relating to the authority to provide services on a fee basis; repealing rulemaking authority of the Department of Financial Services with respect thereto; repealing s. 17.59(3), F.S., relating to safekeeping services; repealing rulemaking authority of the Chief Financial Officer for the proper management and maintenance of the collateral management service; repealing s. 25.371, F.S., relating to the effect of rules adopted by the Supreme Court on statutory provisions; repealing s. 28.43, F.S., relating to the adoption of rules in relation to ss. 28.35, 28.36, and 28.37, relating to duties of the Florida Clerks of Court Operations Corporation and clerks of the court; repealing s. 35.07, F.S., relating to power of the district courts of appeal to make rules and regulations; repealing s. 39.001(11), F.S., relating to rulemaking authority of Executive Office of the Governor with respect to the protection of children under chapter 39; amending s. 39.0137, F.S.; deleting rulemaking authority of the Department of Children and Family Services with respect to enforcement of the federal Indian Child Welfare Act and federal Multi-Ethnic Placement Act of 1994; repealing s. 39.824(1), F.S.; repealing a provision requesting the Supreme Court to adopt rules of juvenile procedure for purposes of pt. XI, ch. 39, relating to guardians ad litem and guardian advocates; amending s. 63.167, F.S.; repealing rulemaking authority of the Department of Children and Family Services relating to the establishment and operation of the state adoption information center; repealing s. 88.9051, F.S., relating to authority of the Department of Revenue to adopt rules to implement the Uniform Interstate Family Support Act; amending ss. 97.026, 97.0555, and 97.061, F.S.; repealing rulemaking authority of the Department of State under the Election Code; repealing s. 101.56062(3), F.S.; repealing rulemaking authority of the department relating to standards for accessible voting systems; amending ss. 103.101 and 106.165, F.S.; repealing rulemaking authority of the department relating to conduct of the presidential preference primary and use of closed captioning and descriptive narrative in television broadcasts; amending s. 110.1055, F.S., relating to rulemaking authority of the Department of Management Services with respect to chapter 110, relating to state employment; deleting obsolete language; repealing s. 110.1099(5), F.S.; repealing rulemaking authority of the department relating to education and training opportunities for state employees; repealing s. 110.1228(7), F.S.; repealing rulemaking authority of the department relating to participation in the state group health insurance and prescription drug coverage programs by small counties, small municipalities, and district school boards located in small counties; amending s. 110.12301, F.S.; repealing rulemaking authority of the department relating to dependent eligibility verification services for the state group insurance program; repealing s. 112.1915(4), F.S.; repealing rulemaking authority of the State Board of Education relating to death benefits for teachers and school administrators; amending s. 118.12, F.S.; repealing rulemaking authority of the Department of Revenue relating to certification of a civil-law notary’s authority; repealing s. 121.085(1), F.S.; repealing authority of the Department of Management Services relating to submission of information necessary to establish a member’s claim of creditable service under the Florida Retirement System; repealing s. 121.1001(4)(b), F.S.; repealing rulemaking authority of the Division of Retirement relating to administration of the Florida Retirement System Preservation of Benefits Plan; repealing s. 121.4503(3), F.S.; repealing rulemaking authority of the Department of Management Services relating to the Florida Retirement System Contributions Clearing Trust Fund; amending s. 121.5911, F.S.; deleting rulemaking authority of the department relating to maintaining the qualified status of the disability retirement program and the Florida Retirement System Pension Plan; repealing s. 125.902(4), F.S.; repealing rulemaking authority of the Department of Children and Family Services relating to children’s services council or juvenile welfare board incentive grants; repealing s. 154.503(4), F.S.; repealing rulemaking authority of the Department of Health relating to the Primary Care for Children and Families Challenge Grant Program; amending s. 159.8081, F.S.; repealing rulemaking authority of the Department of Economic Opportunity relating to the manufacturing facility bond pool; amending s. 159.8083, F.S.; repealing rulemaking authority of the department relating to the Florida First Business allocation pool; repealing s. 159.825(3), F.S.; repealing rulemaking authority of the State Board of Administration relating to terms of bonds; repealing s. 161.75, F.S.; repealing rulemaking authority of the Department of Environmental Regulation and the Fish and Wildlife Conservation Commission relating to the Oceans and Coastal Resources Act; repealing s. 163.462, F.S.; repealing rulemaking authority of the Department of Community Affairs relating to the Community Redevelopment Act of 1969; repealing s. 163.517(6), F.S.; repealing rulemaking authority of the Department of

Legal Affairs relating to the Safe Neighborhoods Program; repealing s. 175.341(2), F.S.; repealing rulemaking authority of the Division of Retirement relating to firefighter pensions; repealing s. 177.504(2)(e), F.S.; repealing rulemaking authority of the Department of Environmental Protection relating to the Florida Public Land Survey Restoration and Perpetuation Act; repealing s. 185.23(2), F.S.; repealing rulemaking authority of the Division of Retirement relating to municipal police pensions; repealing s. 255.25001(2), F.S.; repealing rulemaking authority of the Department of Management Services relating to determining whether a lease-purchase of a state-owned office building is in the best interests of the state; repealing s. 257.34(7), F.S.; repealing rulemaking authority of the Division of Library and Information Services of the Department of State relating to the Florida International Archive and Repository; repealing s. 364.0135(6), F.S.; repealing rulemaking authority of the Department of Management Services relating to the promotion of broadband adoption; amending s. 366.85, F.S.; repealing rulemaking authority of the Division of Consumer Services of the Department of Agriculture and Consumer Services relating to the Florida Energy Efficiency and Conservation Act; repealing s. 409.5092, F.S.; repealing rulemaking authority of the Department of Children and Family Services relating to permission for weatherization; amending s. 501.142, F.S.; repealing rulemaking authority of the Department of Agriculture and Consumer Services relating to retail sales establishments and authority to sanction violations of such rules; amending s. 985.682, F.S.; conforming a cross-reference; providing an effective date.

By the Committees on Budget Subcommittee on Health and Human Services Appropriations; Health Regulation; and Children, Families, and Elder Affairs; and Senators Negrón and García—

**CS for CS for CS for SB 1516**—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.062, F.S.; providing additional legislative findings relating to the provision of services for individuals who have developmental disabilities; reordering and amending s. 393.063, F.S.; revising current definitions and providing definitions for the terms “adult day services,” “nonwaiver resources,” and “waiver”; amending s. 393.065, F.S.; clarifying provisions relating to eligibility requirements based on citizenship and state residency; amending s. 393.066, F.S.; revising provisions relating to community services and treatment; revising an express list of services; requiring the agency to promote partnerships and collaborative efforts to enhance the availability of nonwaiver services; deleting a requirement that the agency promote day habilitation services for certain individuals; amending s. 393.0661, F.S.; revising provisions relating to eligibility under the Medicaid waiver redesign; providing that final tier eligibility be determined at the time a waiver slot and funding are available; providing criteria for moving an individual between tiers; deleting a cap on tier one expenditures for certain individuals; authorizing the agency and the Agency for Health Care Administration to adopt rules; deleting certain directions relating to the adjustment of an individual’s cost plan; providing criteria for reviewing Medicaid waiver provider agreements, including support coordinators; deleting obsolete provisions; amending s. 393.0662, F.S.; providing criteria for calculating an individual’s iBudget; deleting obsolete provisions; amending s. 393.067, F.S.; requiring that facilities that are accredited by certain organizations be inspected and reviewed by the agency every 2 years; providing agency criteria for monitoring licensees; amending s. 393.068, F.S.; conforming a cross-reference and terminology; amending s. 393.11, F.S.; clarifying eligibility for involuntary admission to residential services; amending s. 393.125, F.S.; requiring the Department of Children and Family Services to submit its hearing recommendations to the agency; amending s. 393.23, F.S.; providing that receipts from the operation of canteens, vending machines, and other activities may be used to pay certain wages; creating s. 393.28, F.S.; directing the agency to adopt sanitation standards by rule; providing penalties for violations; authorizing the agency to contract for food services and inspection services to enforce standards; amending s. 393.502, F.S.; revising the membership of family care councils; amending s. 514.072, F.S.; conforming a cross-reference; deleting an obsolete provision; providing an effective date.

By the Committee on Budget Subcommittee on Health and Human Services Appropriations; and Senator Flores—

**CS for SB 1646**—A bill to be entitled An act relating to Medicaid; amending s. 409.905, F.S.; revising the date for adjusting hospital in-

patient rates; amending s. 409.9122, F.S.; deleting a geographic limitation on where HIV/AIDS recipients must reside for the purposes of being assigned to certain managed care plans; amending s. 1004.435, F.S.; revising legislative intent to delete provisions relating to research activities for cancer control; changing the name of the cancer control and research advisory council to the Florida Cancer Control and Resource Advisory Council; providing for the appointment and terms of council members and duties of the council; providing for a nominating committee to make recommendations for gubernatorial appointments to the council; providing for council membership categories; providing for an executive committee of the council and duties of the committee; authorizing consultants to the council; providing duties of the council for the development, review, and approval of the Florida Cancer Plan; deleting responsibilities of the council and the Board of Governors of the State University System relating to cancer research; authorizing the Department of Health to adopt rules for implementation of the section; providing department duties relating to the development and establishment of the Florida Cancer Plan; revising the name of the cancer control fund and deleting the use of funds for cancer research; amending ss. 458.324 and 459.0125, F.S.; conforming cross-references; requiring that the Agency for Health Care Administration create a demonstration project to address funding issues related to the Medicaid program’s share of medical residency training expenditures; providing for a federally qualified health center to establish a graduate medical education program in Miami-Dade County through Florida International University; providing requirements for the agreement between the university and managed care organizations allocating funds for the project; requiring that the Agency for Health Care Administration provide an annual report to the Governor and Legislature; providing an effective date.

By the Committees on Budget; and Transportation; and Senator Latvala—

**CS for CS for SB 1866**—A bill to be entitled An act relating to the Department of Transportation; amending s. 20.23, F.S.; providing that the district secretaries and the executive directors of the Department of Transportation may be registered professional engineers in accordance with the laws of another state; deleting obsolete provisions; amending s. 206.41, F.S.; revising the definition of the term “agricultural and aquacultural purposes” for the purpose of obtaining a refund of the state motor fuel tax; providing a directive to the Division of Statutory Revision; amending s. 311.07, F.S.; increasing funding for the Florida Seaport Transportation and Economic Development Program; requiring the program’s council to develop guidelines for program funding; revising the list of projects eligible for program funding; deleting a cap on distribution of program funds to eligible ports; amending s. 311.09, F.S.; revising the rule criteria for evaluating a potential Florida Seaport Transportation and Economic Development Council project; deleting provisions relating to project review by the Department of Community Affairs; requiring projects to be consistent with the Statewide Seaport and Waterways System Plan; revising the criteria used by the Department of Transportation and the Department of Economic Opportunity to review project applications approved by the council; increasing the amount of funding the Department of Transportation is required to include in its annual legislative budget request for the Florida Seaport Transportation and Economic Development grant program; creating s. 311.10, F.S.; establishing the Strategic Port Investment Initiative within the department; providing annual funding from the State Transportation Trust Fund; directing the department to work with deepwater ports to develop and maintain a specified priority list of strategic investment projects; providing project selection criteria; requiring the department to schedule a publicly noticed workshop with the Department of Economic Opportunity and the deepwater ports to review proposed projects; directing the department to include seaport projects proposed for funding in the tentative work program; excluding project funding from the requirement that a minimum of 15 percent of state revenues deposited into the State Transportation Fund be committed to specified public transportation projects; creating s. 311.101, F.S.; establishing the Intermodal Logistics Center Infrastructure Support Program within the department to fund projects conveying or shipping goods through a seaport; defining the term “intermodal logistics center”; providing project criteria; providing for funding; authorizing the department to adopt rules; amending s. 311.14, F.S.; directing the department to develop a Statewide Seaport and Waterways System Plan; deleting provisions relating to the development and integration of freight mobility and trade corridor plans;



amending s. 311.22, F.S.; conforming a cross-reference; amending s. 316.003, F.S.; revising the definition of the term “motor vehicle” for purposes of the payment of tolls; amending s. 316.091, F.S.; revising provisions relating to prohibitions against operating a human-operated vehicle on a limited access highway; authorizing the department and expressway authorities to designate the use of shoulders of limited access facilities and interstate highways for vehicular traffic under certain conditions; requiring the department to establish a pilot program to open certain limited access highways and bridges to bicycles and other human-powered vehicles; providing requirements for the program; requiring a report; amending s. 316.1001, F.S.; revising provisions relating to mailing citations for failing to pay a toll; amending s. 316.2122, F.S.; deleting a cross-reference; amending s. 316.515, F.S.; revising provisions related to the maximum allowed length of straight truck-trailer combinations; revising provisions relating to farm equipment; amending s. 318.12, F.S.; conforming provisions to changes made by the act; amending s. 320.01, F.S.; revising the definition of the term “low-speed vehicle”; amending s. 320.20, F.S.; conforming provisions to changes made by the act; amending s. 332.08, F.S.; authorizing a municipality participating in the Federal Aviation Administration’s pilot program on the private ownership of airports to lease or sell airport property to a private party; providing for department approval under certain conditions; reordering and amending s. 334.03, F.S.; revising definitions for purposes of the Florida Transportation Code; amending s. 334.044, F.S.; revising the powers and duties of the department relating to jurisdictional responsibility, the designation of facilities, and highway landscaping, and adding a duty to develop freight mobility and trade plans; amending s. 334.047, F.S.; deleting a prohibition preventing the department from establishing a maximum number of miles of urban principal arterial roads; amending s. 335.02, F.S.; revising references to conform to the incorporation of the Florida Intrastate Highway System into the Strategic Intermodal System; amending s. 335.074, F.S.; requiring the governmental entity having maintenance responsibility for a bridge to reduce the maximum limits for the bridge in accordance with a bridge inspection report and post such limits as specified; requiring the governmental entity to immediately close a bridge if recommended in the report; amending s. 335.17, F.S., relating to highway construction noise abatement; clarifying project eligibility provisions governing noise abatement; updating a reference to a federal regulation; amending s. 336.021, F.S.; revising the date for levying certain fuel taxes; amending s. 336.025, F.S.; revising the date for levying certain fuel taxes; specifying certain transportation program expenditures; amending s. 337.11, F.S.; revising the department’s advertising requirements for bids on certain construction contracts; amending s. 337.111, F.S.; providing additional forms of security for the cost of removing or modifying monuments or memorials at highway rest areas; amending s. 337.125, F.S.; revising provisions relating to the submission of information documenting that a subcontract is with a disadvantaged business enterprise; repealing s. 337.137, F.S., relating to subcontract limitations by socially and economically disadvantaged business enterprises; amending s. 337.139, F.S.; updating a reference to federal law as it relates to encouraging the award of contracts to socially and economically disadvantaged business enterprises; amending s. 337.14, F.S.; specifying when an application for qualification to bid on a department contract is timely; authorizing certain applicants to submit reviewed annual or reviewed interim financial statements prepared by a certified public accountant; amending ss. 337.403 and 337.404, F.S.; clarifying provisions relating to responsibility for the work and costs for alleviating interference on a public road or publicly owned rail corridor caused by a utility facility; requiring the utility owner to initiate and complete the work necessary within a certain time period; requiring the local governmental authority to bear the costs of work on a utility facility that was initially installed to serve the governmental entity or its tenants; providing that the governmental entity is not responsible for the costs of utility work related to subsequent additions to the facility; requiring that the local governmental authority bear the costs of removing or relocating a utility facility under certain circumstances; providing for notice to the utility; revising provisions for payment of costs; revising provisions for completion of work when the utility owner does not perform the work; amending s. 337.408, F.S.; revising provisions for certain facilities installed within the right-of-way limits of a road; requiring counties and municipalities to indemnify the department from certain claims relating to the installation, removal, or relocation of a non-compliant bench or shelter; authorizing the department to remove or relocate a noncompliant installation and charge the cost to the county or municipality; removing a provision for the replacement of an unusable transit bus bench that was in service before a certain date; providing a

directive to the Division of Statutory Revision; repealing s. 338.001, F.S., relating to the Florida Intrastate Highway System Plan; amending s. 338.01, F.S.; clarifying provisions governing the designation and function of limited access facilities established by the department; creating s. 338.151, F.S.; authorizing the department to establish tolls on certain transportation facilities to pay for the cost of such project; amending s. 338.155, F.S.; authorizing the department to allow the use of certain toll facilities by certain vehicles without paying the tolls under certain circumstances; amending s. 338.161, F.S.; authorizing the department to enter in agreements with other entities for the use of the public or private toll facilities under certain circumstances; authorizing the department to modify its rules regarding toll collection procedures and the imposition of administrative charges for certain toll facilities; amending s. 338.166, F.S.; removing a location restriction on the issuing of bonds secured by toll revenues; restricting the use of remaining tolls revenues to the county or counties in which the revenues were collected or to support express bus service on the facility where the toll revenues were collected; amending s. 338.221, F.S.; revising the definition of the term “economically feasible” for purposes of proposed turnpike projects; amending s. 338.223, F.S.; revising a provision relating to department requests for legislative approval of proposed turnpike projects; conforming a cross-reference; amending s. 338.227, F.S.; replacing a reference to the Florida Intrastate Highway System Plan with a reference to the Strategic Intermodal System Plan; amending ss. 338.2275 and 338.228, F.S.; conforming cross-references; amending s. 338.231, F.S.; authorizing the department to assess an administrative fee as an account maintenance charge for inactive prepaid toll accounts; amending s. 338.234, F.S.; replacing a reference to the Florida Intrastate Highway System with a reference to the Strategic Intermodal System; amending s. 339.0805, F.S.; revising provisions relating to the certification of socially and economically disadvantaged individuals; deleting provisions requiring a periodic disparity study; deleting obsolete provisions; revising the timeframe for notifying the department of any change in ownership of a qualifying individual or individuals; conforming provisions to changes made by the act; updating references to federal law; amending s. 339.155, F.S.; providing a cross-reference to federally required transportation planning factors; clarifying and revising provisions relating to the Florida Transportation Plan; deleting duplicative performance reporting requirements; amending s. 339.175, F.S.; revising provisions relating to the designation of metropolitan planning organizations for urbanized areas; revising provisions relating to representatives of the department who serve as nonvoting advisers to such organization; requiring metropolitan planning organizations in urbanized areas containing more than one organization to coordinate in the development of regionally significant project priorities; amending s. 339.2819, F.S.; conforming cross-references; revising the state matching funds requirement for the Transportation Regional Incentive Program; requiring projects funded under the program to be included in the department’s work program; amending s. 339.285, F.S.; conforming a cross-reference; amending s. 339.62, F.S.; replacing a reference to the Florida Intrastate Highway System with a reference to highway corridors; revising the facility component types; amending s. 339.63, F.S.; adding military access facilities to the types of facilities included in the Strategic Intermodal System and the Emerging Strategic Intermodal System; requiring that the Secretary of Transportation designate certain planned facilities as part of the Strategic Intermodal System; providing for such facilities to receive a waiver of the transportation concurrency requirements under certain circumstances; amending s. 339.64, F.S.; deleting provisions creating the Statewide Intermodal Transportation Advisory Council; creating s. 339.65, F.S.; requiring the department to plan and develop Strategic Intermodal System highway corridors to aid traffic movement; specifying components of the system; requiring the department to follow specified policy guidelines when developing the corridors; requiring the department to develop a plan for corridor projects; specifying an appropriation amount for developing the corridor; requiring strategic highway projects to be a part of the department’s adopted work program; amending s. 341.053, F.S.; replacing a reference to the Florida Intrastate Highway System with a reference to the Strategic Intermodal System; amending s. 341.840, F.S., relating to tax exemptions in connection with the high-speed rail system; references to the “enterprise”; amending s. 343.52, F.S.; revising the definition of the term “area served” for purposes of provisions for the South Florida Regional Transportation Authority; revising a provision for expansion of the area; amending s. 343.53, F.S.; revising the number of members of and criteria for appointment to the board of the South Florida Regional Transportation Authority; amending s. 343.54, F.S.; revising a provision authorizing the authority to expand its service area; transferring control of the



Mid-Bay Bridge Authority system to the Florida Turnpike Enterprise; transferring all assets, rights, powers, duties, and bond liabilities of the authority to the turnpike enterprise; transferring all provisions that protect the rights of certain bondholders from the authority to the turnpike enterprise; providing for the turnpike enterprise to annually transfer funds from the activities of the transferred authority to the State Transportation Trust Fund to repay certain long-term debt; requiring that specific toll revenue be used for the construction, maintenance, or improvement of certain toll facilities of the turnpike enterprise; amending s. 348.0003, F.S.; removing members of the governing body of the Jacksonville Transportation Authority from those entities required to comply with certain constitutional financial disclosure requirements; amending s. 348.0004, F.S.; removing provisions qualifying funding received by an authority from a portion of the county gasoline tax funds; amending s. 348.0005, F.S.; providing criteria under which bonds may be issued; providing an exception to the application of certain bond requirements; creating s. 348.0013, F.S., relating to expressway authorities created on or after a specified date; providing that the department is the agent for the purpose of performing all phases of constructing improvements to and extensions of an expressway system; requiring that the Division of Bond Finance and the authority provide certain construction documents to the department; providing for payment and the use of funds for the construction; requiring that an authority identify an expressway project in the authority's work plan and submit the work plan along with its budget; requiring that the work plan include certain information; requiring that the department operate and maintain the expressway system; requiring that the costs incurred by the department be reimbursed from revenues of the expressway system; providing that an expressway system is part of the State Highway System; authorizing the authority to collect tolls, fees, and other charges; amending s. 348.52, F.S.; authorizing the Tampa-Hillsborough County Expressway Authority to employ certain personnel; amending s. 348.54, F.S.; providing for the powers of the authority with respect to certain lease-purchase agreements; amending s. 348.545, F.S.; conforming cross-references; amending s. 348.56, F.S.; restricting the authority's ability to request the issuance of bonds; providing criteria for refunding bonds; prohibiting the authority from requesting the issuance of bonds having certain rights against the department; providing criteria for bonds issued on or after a certain date; amending s. 348.565, F.S.; conforming provisions; removing from the list of approved projects for the Tampa-Hillsborough County Expressway System the connector highway linking Lee Roy Selmon Crosstown Expressway to Interstate 4; amending s. 348.57, F.S., relating to refunding bonds; conforming references and provisions; amending s. 348.60, F.S.; providing that the Tampa-Hillsborough County Expressway Authority is a party to lease-purchase agreements between the department and the authority which are dated on specified dates; prohibiting the authority from entering into other lease-purchase agreements or amending the lease-purchase agreement unless the department determines an agreement or amendment is necessary to permit refunding of certain bonds; providing that the expressway system remains the property of the authority if the lease-purchase agreement terminates; providing that the authority remains obligated to reimburse the department if the agreement terminates; requiring that the department operate and maintain the system as the agent of the authority; creating s. 348.615, F.S.; providing that the department is the agent of the authority for purposes of collecting tolls; authorizing the authority to establish tolls, fees, and other charges; amending s. 348.753, F.S.; authorizing the Orlando-Orange County Expressway Authority to contract with the Division of Bond Finance for certain financial services; amending s. 348.754, F.S.; providing that the transportation authority is a party to specified lease-purchase agreements between the department and the authority; prohibiting the authority from entering into other lease-purchase agreements or amending a specified lease-purchase agreement; amending s. 348.7543, F.S.; conforming a cross-reference and revising provisions governing the issuance of bonds; amending ss. 348.7545 and 348.7547, F.S.; conforming cross-references; amending s. 348.755, F.S.; restricting the authority's ability to request the issuance of bonds; prohibiting the authority from requesting the issuance of refunding bonds under certain circumstances; providing conditions for issuing certain bonds; amending s. 348.757, F.S.; limiting certain authorized lease-purchase agreements; prohibiting the authority from entering into or amending certain lease-purchase agreements; providing for the termination of the department's obligations under certain lease-purchase agreements; creating s. 348.7585, F.S.; providing that the department is the agent of the authority for purposes of collecting tolls; authorizing the authority to establish tolls, fees, and other charges; conforming provisions; amending s. 348.9952,

F.S.; removing provisions authorizing the Osceola County Expressway Authority to employ a fiscal agent; repealing s. 348.9956, F.S., relating to the appointment of the department as the agent of the authority for construction; creating s. 348.99565, F.S.; providing that the department is the agent of the authority for purposes of performing all phases of constructing improvements and extensions to the Orlando-Orange County Expressway System; requiring that the Division of Bond Finance and the expressway authority provide construction documents to the department; providing for payment and use of funds for the construction; providing guidelines that the authority must follow if it proposes construction of an expressway; authorizing the authority to collect tolls, fees, and other charges; requiring the Florida Transportation Commission to study the potential costs savings of the department being the operating agent for certain expressway authorities; amending s. 349.03, F.S.; requiring that members of the authority file a statement of financial interest with the Commission on Ethics as their mandatory financial disclosure; amending s. 349.04, F.S.; authorizing the Jacksonville Transportation Authority to conduct public meetings and workshops by means of media technology; amending s. 373.413, F.S.; providing legislative intent regarding flexibility in permitting stormwater management systems serving state transportation projects; requiring the cost of stormwater treatment for a transportation project to be balanced with benefits to the public; absolving the department of responsibility for the abatement of pollutants entering its stormwater facilities from offsite sources and from updating permits for adjacent lands impacted by right-of-way acquisition; authorizing the water management districts and the Department of Environmental Protection to adopt rules; amending s. 373.4137, F.S.; revising mitigation requirements for transportation projects to include other mitigation options; providing for the release of escrowed mitigation funds under certain circumstances; clarifying responsibility for mitigation projects; providing for the exclusion of projects from a mitigation plan upon the election of one or more agencies; amending s. 403.7211, F.S.; conforming provisions to changes made by the act; repealing s. 479.28, F.S., relating to a rest area information or device program within the department; prohibiting the use of glass beads used for road markings which contain a certain amount of inorganic arsenic; providing penalties; authorizing the department to seek Federal Highway Administration approval of a tourist-oriented commerce sign pilot program and submit the approved program for legislative approval; providing for a review by the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority to consider and identify opportunities and greater efficiency and service improvements for increasing connectivity between each authority; requiring a report to the Legislature; requiring the Tampa Bay Area Regional Transportation Authority to provide assistance; authorizing governmental units that regulate the operation of vehicles for public hire or other for-hire transportation to request and receive criminal history record information for the purpose of screening applicants; requiring that the costs associated with the transmittal and processing of such information be borne by the governmental unit, the employer, or the person who is the subject of the background check; amending ss. 215.616, 288.063, 338.222, 341.8225, 479.01, 479.07, and 479.261, F.S., relating to contracts for transportation projects, turnpike projects, high-speed rail projects, outdoor advertising, and the logo sign program, respectively; deleting obsolete language; revising references to conform to the incorporation of the Florida Intrastate Highway System into the Strategic Intermodal System and to changes made by the act; creating the Seminole County Expressway Authority Law; providing definitions; creating the Seminole County Expressway Authority; prohibiting an entity or body or another authority from exercising jurisdiction, control, authority, or power over an expressway system in Seminole County without the consent of the Seminole County Expressway Authority; providing for membership and terms of the governing body of the authority; providing for officers, a quorum, and reimbursement for travel and per diem; authorizing staffing; providing for certain reimbursement for authority members; authorizing the authority to contract with the Division of Bond Finance for financial services; providing for the powers and duties of the authority; providing for the assumption of duties and responsibilities of the prior Seminole County Expressway Authority for certain contracts and agreements; prohibiting the authority from pledging the credit or taxing power of the state; providing that the authority does not need the consent of a municipality for projects but must provide the opportunity for public comment; providing for the issuance of bonds; authorizing the State Board of Administration to act as the fiscal agent of the authority in the issuance of bonds; authorizing the authority to enter into agreements to secure such bonds; providing that the Department of Transportation is the agent of authority for performing all

phases of a project and for operating the expressway system; providing that the authority has the power to set and collect all tolls and charges; authorizing the authority to acquire land and properties, including eminent domain; providing for the cooperation of other entities to further the purposes of the act; prohibiting the state from changing the terms of the bonds; exempting the authority from certain taxes; providing for the bond's eligibility for investments and security; providing for the extent of the powers authorized by the act; amending s. 369.317, F.S.; authorizing only the department to locate the corridor and interchanges for the Wekiva Parkway; providing an effective date.

By the Committees on Budget; Governmental Oversight and Accountability; and Governmental Oversight and Accountability—

**CS for CS for SB 2024**—A bill to be entitled An act relating to state retirement; creating s. 121.012, F.S.; providing applicability; amending s. 121.021, F.S.; clarifying the definitions of the terms “normal retirement date” and “vesting”; amending s. 121.0515, F.S.; correcting a cross-reference; amending s. 121.055, F.S.; authorizing distributions to a member who is terminated from employment for 1 calendar month if the member has reached the normal retirement date; providing rulemaking authority to the Department of Management Services; clarifying provisions related to the prohibition of hardship loans or payments; clarifying that a retiree who is reemployed in a regularly established position after a certain date may not be enrolled as a renewed member; amending s. 121.071, F.S.; clarifying provisions related to the prohibition of hardship loans or payments; amending s. 121.091, F.S.; making conforming changes to the Deferred Retirement Option Program regarding deferral age; amending s. 121.122, F.S.; clarifying that a retiree who is reemployed in a regularly established position after a certain date may not be enrolled as a renewed member; amending s. 121.35, F.S.; providing that a benefit for the purposes of the optional retirement program for the State University System includes a certain distribution; authorizing distributions to a member who is terminated from employment for 1 calendar month if the member has reached the normal retirement date; providing rulemaking authority to the Department of Management Services; clarifying provisions related to the prohibition of hardship loans or payments; clarifying when voluntary contributions may be paid out; amending s. 121.4501, F.S.; specifying that the definition of the term “eligible employee” does not include certain members reemployed in regularly established positions; clarifying that a retiree who is reemployed in a regularly established position after a certain date may not be enrolled as a renewed member; amending s. 121.591, F.S.; clarifying provisions related to the prohibition of hardship loans or payments; amending s. 1012.875, F.S.; authorizing distributions to a member who is terminated from employment for 1 calendar month if the member has reached the normal retirement date; providing rulemaking authority to the boards of trustees for colleges; clarifying provisions related to the prohibition of hardship loans or payments; providing an effective date.

By the Committees on Budget; Governmental Oversight and Accountability; and Governmental Oversight and Accountability—

**CS for CS for SB 2084**—A bill to be entitled An act relating to state employment; amending s. 110.105, F.S.; revising the employment policy of the state system of personnel management; amending s. 110.1127, F.S.; revising provisions relating to employee background screening; amending s. 110.119, F.S.; revising provisions relating to administrative leave for a service-connected disability; amending s. 110.1225, F.S.; revising provisions relating to agency furloughs; amending s. 110.126, F.S.; revising provisions relating to the authority of the Department of Management Services to administer oaths; amending s. 110.131, F.S.; revising the duties of state agencies with respect to the employment of other-personal-services employees; providing reporting requirements; amending s. 110.1315, F.S.; revising provisions relating to alternative retirement benefits for other-personal-services employees; requiring the Department of Financial Services to provide for, rather than authorizing the Department of Management Services to contract for the implementation of, an alternative retirement income security program; authorizing the Department of Financial Services, rather than the Department of Management Services, to contract with a private vendor to administer the program and to develop a request for proposals and solicit vendors; authorizing the Department of Financial Services to adopt

rules; amending s. 110.171, F.S.; revising provisions relating to state employee telecommuting; providing for a telework program; providing program requirements for agencies and employees; amending s. 110.181, F.S.; revising provisions relating to the Florida State Employees' Charitable Campaign; requiring state officers and employees to designate a charitable organization to receive certain charitable contributions; deleting provisions relating to the establishment of local steering committees and the distribution of funds; amending s. 110.2035, F.S.; revising provisions relating to pay additives; amending s. 110.205, F.S.; deleting a provision that allows career service employees to retain annual leave, sick leave, and compensatory leave credits upon appointment to a selected exempt position; amending s. 110.217, F.S.; revising provisions relating to a change in an employee's position status; amending s. 110.227, F.S.; deleting requirements for an agency that removes from a promotional position a career service employee who is serving a probationary period in such position to return such employee to the employee's former position or a comparable position, if such a position is vacant; amending ss. 255.249, 402.3057, 409.1757, 413.20, 943.0585, and 943.059, F.S.; conforming provisions and cross-references; providing an effective date.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has adopted CS for HM 1349; has adopted as amended CS for HM 1281 and requests the concurrence of the Senate.

*Robert L. “Bob” Ward, Clerk*

By Federal Affairs Subcommittee and Representative(s) Grant, Costello—

**CS for HM 1349**—A memorial to the Centers for Medicare and Medicaid Services requesting approval of waivers enabling planned statewide implementation of Florida's Medicaid reform program.

—was referred to the Committee on Health Regulation.

By State Affairs Committee and Representative(s) Brodeur, Costello, Kreegel, Metz—

**CS for HM 1281**—A memorial to the Congress of the United States, urging Congress to repeal the Patient Protection and Affordable Care Act signed into law by President Obama in 2010.

—was referred to the Committee on Health Regulation.

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 1 was corrected and approved.

## CO-INTRODUCERS

Senators Bullard—CS for SB 510; Evers—CS for SB 1132, SM 1840, SM 1854; Fasano—SR 2144; Flores—SB 668; Latvala—SR 2144

Senator Lynn was recorded as introducer of CS for CS for SB 1368. Senator Thrasher was recorded as introducer of CS for CS for SB 1316.

## RECESS

On motion by Senator Thrasher, the Senate recessed at 11:57 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Monday, March 5 or upon call of the President.